

WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION AND PUBLIC HEARING
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, APRIL 17, 2014, 1:00 P.M.

CALL TO ORDER

Mr. Peregrine, Chairperson, called the meeting to order at 1:00 p.m.

Commission

Members Present: Robert Peregrine Pat Haukohl Walter Kolb
 Gary Goodchild James Siepmann William Mitchell (arrived at 1:12 pm)

Members Absent: Fritz Ruf

Staff

Members Present: Sandy Scherer, Senior Planner
 Elfriede Sprague, Clerk Typist III
 Peggy Tilley – Senior Land Use Specialist

Guests Present: Kim Haines – Corporation Counsel
 Peter J. Van Opens – PPC14:006 (Kosanske Road)
 Patrick Ziegeweid – SCU-1583 (Perrow)
 Michael and Sharon Perrow – SCU-1583

CORRESPONDENCE

None.

MEETING APPROVAL

None.

MINUTES

Approval of the March 6, 2014, Minutes.

After discussion, Mrs. Haukohl moved, seconded by Mr. Mitchell and carried unanimously for approval of the March 6, 2014 minutes, as amended.

PUBLIC COMMENT

None.

SCHEDULED MATTER

- **1:05 p.m. Public Hearing - SZ-1459I (Create a new Urban Form PUD Planned Unit Development option within the existing Planned Unit Development Conditional Use Section of the Shoreland and Floodland Protection Ordinance)**

At 1:05 p.m. Chairperson Peregrine read the Notice of Public Hearing into the record.

Ms. Scherer stated the deadline for receiving written comments is closed and no written comments were received. There was an e-mail comment from the DNR stating they had no comments to offer and that Gary Lake changed the word “and” to “or” in the second sentence between institutional and park and open space.

Ms. Scherer explained that currently this change will only affect the Town of Brookfield, because one of the criteria is the property must be served with municipal sewer and water; however, other places may fit this criterion in the future. This amendment would help to accommodate more development in urban areas, such as the Town of Brookfield. Ms. Scherer stated positive response was received from the developer on the

north side of Bluemound Rd. regarding the project (The Corners). She continued that Staff has received several other projects, in addition to the Corners project, that could utilize this amendment. Ms. Scherer clarified that this change is to the County Shoreland Ordinance only and the Town of Brookfield PUD Text Amendment that is on the agenda for today pertains to the Town's Ordinance.

Chairperson Peregrine asked if there were any comments from the audience or Commission, there being none he closed the public hearing at 1:09 p.m.

• **ZT-1776 (Text Amendments) Town of Mukwonago**

Ms. Scherer indicated the request is to amend Section 82 of the Town of Mukwonago Zoning Ordinance to allow for the expansion of legal nonconforming buildings in offset areas and provide for reasonable accommodations for persons with disabilities.

Ms. Scherer stated The Town of Mukwonago is proposing amendments to the Town Zoning Code regarding two different topics. The first proposed amendment would allow for wheelchair ramps to be constructed within required setback and offset areas. The proposed language requires that such encroachments upon setbacks or offsets be authorized if the encroaching location is the only reasonable location based upon the configuration of the existing building. In addition, ramps are to encroach no more than is necessary to provide access to the existing building. A "Reasonable Accommodations" section is also being added to the code to site appropriate sections of the Fair Housing Act and the Americans with Disabilities Act. The section states that all requests for reasonable accommodations, other than wheelchair ramps, must be considered through the Town Board of Adjustment variance process.

Ms. Scherer explained the second proposed amendment would create a special exception process whereby the Town Plan Commission could consider authorization of the expansion of legal non-conforming structures into the required side or rear offset areas. The proposed language stipulates that expansions can extend no closer to the lot line than the existing structure. This proposed provision is very similar to the existing language of the County Zoning Code, which similarly permits lateral expansions via a special exception process. She noted that special exceptions do not require satisfaction of the same hardship test that must be demonstrated for the granting of variances and may be easier to obtain.

After discussion, Mr. Goodchild moved, seconded by Mr. Siepmann and carried unanimously for approval, in accordance with the "Staff Report and Recommendation". The approval of this request meets the intent and purposes of all County Ordinances.

• **ZT-1748 (Text Amendment) Town of Brookfield**

Ms. Scherer indicated the request is to repeal and re-create Section 17.04(20)(a) of the Town of Brookfield Zoning Code to amend the list of zoning districts where Planned Unit Developments (PUD's) can be considered as zoning overlays.

Mr. Mitchell arrived at 1:12 pm.

Ms. Scherer explained the Town of Brookfield Zoning Code was amended in 2011 to create a Mixed Use zoning district. The Town is now proposing that the Planned Unit Development (PUD) section of the ordinance be amended to allow for PUD overlays within the Mixed-Use District.

Ms. Scherer stated the Mixed-Use District was created to “provide for coordinated development of a variety of uses such as office, commercial, institutional and residential and their necessary support functions in the vicinity of key highway intersections and transit corridors.” The stated intent of the district is to facilitate lively, people oriented environments that offer a variety of activities during various times of the day that maximizes the use of available infrastructure such as parking. While a good amount of flexibility is provided within the base Mixed Use District provisions, the Town has received a request for additional flexibility for a large project that is planned for the Bluemound Road corridor and which is being considered as a separate agenda item. The proposed ordinance change would make the PUD option available for any project within the Mixed Use District and could provide for further increased densities or other design considerations.

After discussion, Mrs. Haukohl moved, seconded by Mr. Mitchell and carried unanimously for approval, in accordance with the “Staff Report and Recommendation”. The approval of this request meets the intent and purposes of all County Ordinances.

• **ZT-1781 (The Corners of Brookfield LLC) Town of Brookfield, Section 29**

Ms. Scherer pointed out the location of the property in Section 29, Town of Brookfield on the aerial photograph and stated the request was to rezone the properties from the MU-1 Mixed-Use District to the MU-1 Mixed-Use District with a P.U.D. Planned Unit Development Overlay District.

Ms. Scherer explained the approval of the previous amendment (ZT-1748) is related to this amendment. She identified the properties affected by the rezoning amendment and referred to several exhibits in the Staff Report. She stated the rezoned properties would encompass approximately 19 acres and are located southeast of the intersection of Bluemound Rd. and Barker Rd. and north of I-94. They are proposed to be a mixed used development with commercial, residential, and park and open space uses. The addition of the PUD Overlay District would allow the petitioner more design flexibility, relief relative to side yard offsets, road setbacks, height, parking, densities, etc. and would provide a unique mixed used town-center style, pedestrian friendly environment. Ms. Scherer outlined the proposed development to the Commission and answered several questions regarding design, traffic, drainage, etc. Ms. Scherer explained the design is conceptual only and the project details will have to be approved through the Conditional Use and Site Plan and Plan of Operation processes. She stated the rezone complies with both the Town Land Use Plan and the County Development Plan and staff feels the conceptual plans depict an interesting and dynamic redevelopment project.

After discussion, Mr. Siepmann moved, seconded by Mr. Kolb and carried unanimously for approval as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **SZT-1775 (Vine & Branches LLC - Renee Gavers) Town of Eagle, Section 25**

Ms. Scherer pointed out the location of the property in Section 25 of the Town of Eagle on the aerial photograph at S101 W34414 C.T.H. "LO". She indicated the request was to rezone upland portions of the property from the B-2 Local Business District to the B-3 General Business District.

Ms. Scherer identified the property at the intersection of C.T.H. “LO” and C.T.H. “E”. She stated the existing development consists of a liquor store, a beauty salon, a taxidermy studio and a two-bedroom apartment. She explained the property was acquired in 2011 by Vine & Branches LLC and is being used to

park commercial trucks and vehicles used by Gavers Pavers, Inc. a grading and paving contractor in Eagle. Ms. Scherer explained that the upland area of the property is currently zoned B-2, and the parking of trucks is not a permitted use in the B-2 District. She explained that if the upland area of the property is rezoned to the B-3 General Business District, the parking of the commercial trucks and vehicles would become a permitted use, with Site Plan/Plan of Operation approval. Ms. Scherer noted that a Certified Survey Map to combine the two lots into one is pending.

Mrs. Haukohl asked if there would be any truck parking in the wetland area? Ms. Scherer responded “No”, the area currently zoned C-1 Conservancy under both ordinances would remain in the C-1 Conservancy District. She added that the 100-year floodplain will need to be located as part of the Site Plan/Plan of Operation approval to ensure that the proposed truck parking operation does not encroach in the floodplain. Mrs. Haukohl questioned whether the operation was “unsightly” to the neighbors. Ms. Scherer explained that with the proper zoning and Site Plan/Plan of Operation review, any issues would be addressed. Mr. Mitchell noted that at the public hearing there was only one resident in attendance and she indicated she was in favor of the proposed rezoning. Ms. Scherer stated there are four conditions the Town of Eagle has attached to the rezone to be completed within one year and the County has added two conditions: approval of the Site Plan/Plan of Operation and recordation of a Certified Survey Map combining the two parcels.

After discussion, Mrs. Haukohl moved, seconded by Mr. Goodchild and carried unanimously for approval as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **ZT-1778 (Earl Ziebell) Town of Lisbon, Section 11**

Ms. Scherer pointed out the location of the property in Section 11, Town of Lisbon on the aerial photograph at W234 N8544 Woodside Road, south of the Town Hall and east of The Fairways of Woodside Golf Course. She indicated the request was to rezone portions of the property from the A-10 Agricultural District to the RD-5 Rural Residential Density 5-Acre District.

Ms. Scherer stated the petitioner is proposing to divide one acre of land from the existing 40 acres to create a residential building site. She explained a County Development Plan amendment was recently approved by the Town and County to change the land use designation of the property from Recreational to Rural Density Residential and Other Open Land which allows five acre density. The proposed Town zoning change from the A-10 Agricultural District to the RD-5 Rural Residential Density 5-Acre District would allow for the creation of the one acre parcel and is the next step in the process, with the final step being the submittal of a Certified Survey Map. Ms. Scherer stated the creation of the building site will be consistent with both the Town and County Comprehensive Development Plans and will not adversely affect the surrounding land uses.

After discussion, Mr. Mitchell moved, seconded by Mr. Siepmann and carried unanimously for approval, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **ZT-1779 (Timothy Fleming and Susan Simons) Town of Merton, Section 19**

Ms. Scherer pointed out the location of the property in Section 19, Town of Merton on the aerial photograph at W334 N6956 Stone Bank Rd. and W334 N6966 Stone Bank Road. She indicated the request was to rezone the property from the R-1 Residential District to the B-2 Local Business District.

Ms. Scherer stated the Town is requesting that the two properties, which total approximately one acre, be rezoned from the R-1 Residential District to the B-2 Local Business District. She explained a County Development Plan amendment was recently approved by the Town and County to place the properties in the Commercial and Office Park plan category, so the request is consistent with the Town and County Development Plans and would match the zoning of similar parcels immediately to the south and west. The subject lands are located immediately south of a church and opposite a commercial use on Stone Bank Road. There are residential uses to the south and east along Reynolds Drive. The properties are located in a commercial and mixed use setting along Stone Bank Road and C.T.H. "K".

Ms. Scherer explained the southerly parcel contains a residence and a fire and police supply company, known as Fleming's Fire One, which operates out of a large outbuilding on the site. The northerly parcel contains a residence. The Town's B-2 District permits both small business uses and residential use, so the two existing residences would remain permitted uses with the proposed B-2 designation while allowing the expansion of the business, if desired. She explained the subject properties better match the parcel size and open space requirements of the B-2 district than the existing R-1 District designation. Ms. Scherer noted that there are no natural resources on the site.

After discussion, Mrs. Haukohl moved, seconded by Mr. Goodchild and carried unanimously for approval, in accordance with the "Staff Report and Recommendation". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **ZT-1780 (James H. Harmon and Mid-City Properties, LLC) Town of Merton, Section 35**

Ms. Scherer pointed out the location of the property in Section 35, T8N, R18E, Town of Merton on the aerial photograph at N55 W29519 C.T.H. "K" and N55 W29515 C.T.H. "K", containing approximately 3.72 acres. She indicated the request was to rezone the portions of the properties from the R-2 Residential and C-1 Conservancy Districts to the B-2 Local Business District.

Ms. Scherer stated the rezone involves two adjacent parcels, both with existing businesses. She stated the easterly parcel is occupied by a sports apparel and sports equipment business while the westerly parcel houses a landscape contractor. She explained the Town has indicated that Mid-City Sports apparel/equipment business would like to expand its operations to the west parcel in the future. The landscaping contractor that occupies the west parcel plans to go out of business within the next several years and the subject request would allow for the Mid-City Sports business expansion to occur in the future.

Ms. Scherer explained the Town zoning map currently shows a large area of the properties zoned C-1 Conservancy District. However, the Town's zoning map is not reflective of the most current wetland and floodplain inventories and is out of date relative to the subject property. She added there are no natural resource features on the property so the proposal is to rezone the C-1 lands that are erroneously mapped and the R-2 lands in the southeast corner of the properties to the B-2 Local Business District to match the B-2 zoning that already applies to the north part of the site. The new zoning will allow the petitioners the continued use of the property as business. She added that the properties were also the subject of a 2014 Town and County Land Use Plan Amendment, so the rezoning is consistent with the Town and County Development Plans.

After discussion, Mr. Goodchild moved, seconded by Mrs. Haukohl and carried unanimously for approval, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **SCU-1583 (Michael and Sharon Perrow) Town of Oconomowoc, Sections 35 and 36**

Ms. Scherer pointed out the location of the property in Sections 35 and 36, Town of Oconomowoc on the aerial photograph at N52 W35329 W. Lake Dr. She indicated the request was for land altering activities associated with the construction of a pathway to Okauchee Lake.

Ms. Scherer pointed out the location of the property on Okauchee Lake and noted the steep slope to the lake. She identified the nonconforming concrete block retaining wall, a nonconforming concrete patio, and concrete steps to the lake. She stated the petitioner is requesting a Conditional Use permit to allow land-altering activities associated with the construction of a new 4 ft. wide walkway to the lake without steps. The pathway would be a switchback path to allow for physical disabilities. The petitioner states that physical disabilities inhibit his ability to be able to safely negotiate relatively steep grades and believes that a lift system would not be safe for him and his mother.

Ms. Scherer stated that at the public hearing one neighbor expressed concern with the potential for additional impervious surface on the site when the site currently contains a significant amount. He also wanted to ensure that drainage from any additional impervious surfaces would not drain to the lake. Ms. Scherer stated the Wisconsin Department of Natural Resources submitted written comments relative to this request and indicated in those comments that the Department does not have a problem with the Conditional Use. They suggested that the applicant use native plants with extensive root systems in their landscaping plan, which will help to maximize water runoff uptake and minimize erosion along the pathway.

Ms. Scherer explained the Comprehensive Development Plan recommends that development be directed away from steep slopes and encourages efforts to restore open space lands to more natural conditions, the reduction of soil erosion, protection of wildlife habitat, and preservation of shore cover and natural beauty.

Mrs. Tilley, Sr. Land Use Specialist working on the project, stated the petitioner has been working with Waukesha County Planning and Zoning Division Staff over the last year regarding design recommendations to mitigate grading impacts. Mr. Perrow has incorporated design elements that staff feels are important to offset the impacts of the proposed land-altering activities and switch-back path construction, such as the use of permeable pavers, and native plantings for restoration of the area. Three native trees will be planted to replace the three trees that have been cut. Mrs. Tilley stated, that in addition, the proposed plan results in the removal of a number of nonconforming structures in close proximity to the lake and the naturalizing of other portions of the shoreline. Mrs. Tilley stated that Staff feels that, as conditioned, the project will be an improvement to the property. The Commission commented that the proposed plan appears to be well designed and should provide less steep, safer handicapped access to the lake.

Mrs. Haukohl asked the petitioner if he was comfortable with plan. Mr. Perrow responded that he was, he just wants to get a walker or wheelchair to and from the lake. He added in regards to the neighbors' concerns about additional drainage, he stated he has worked closely with the architect to insure there would not be any issues. The retaining walls, stairs, sidewalk, and patio will all be removed. They will be using permeable pavers and native plantings. Mr. Perrow stated the proposed pathway will provide a much safer way to the lake. Mrs. Tilley added that she asked a County Landscape Architect to review the plan and they confirmed the proposed plantings are native and felt they would work well to camouflage and stabilize the path.

After discussion, Mrs. Haukohl moved, seconded by Mr. Mitchell and carried unanimously for approval as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **SCU-1584 (Anthony J. and Tina Glapa) Town of Vernon, Section 16**

Ms. Scherer pointed out the location of the property in Section 16, Town of Vernon on the aerial photograph at W250 S8155 Center Dr., approximately 8.6 acres in size. She indicated the request was for conditional use approval of an in-law unit.

Ms. Scherer stated the petitioners are in the process of constructing a new single-family residence, with a four-car attached garage and are nearing completion. The original plans for their residence called for an exercise room on the north side of the attached garage. However, during the construction of the residence, due to unforeseen circumstances, they are now proposing to convert the exercise room into an in-law unit for Mr. Glapa’s mother. Ms. Scherer explained the exercise room that is proposed to be converted to the in-law unit does not have a direct connection into the main portion of the residence, but both the in-law unit and the main portion of the residence have entrances from the attached garage that is located between them. The main entrance to the in-law unit would be on the east (road) side of the building, through a 6 ft. x 10 ft. vestibule/foyer with the outer door facing the south lot line. This entrance already exists. Therefore, the proposed conversion of the exercise room into an in-law unit would not alter the exterior appearance of the building and would not cause it to appear to be a duplex. Ms. Scherer stated the Environmental Health Division has reviewed the request and has approved the fourth bedroom. She identified the property on the GIS and noted the property is partially wooded and because the building has a road setback of more than 400 ft., the residence and the in-law unit are barely visible from the road. Ms. Scherer stated the Staff is recommending approval of the request conditioned upon filing a Deed Restriction stating the in-law unit will only be occupied by persons related by blood or marriage and is not transferable without formal approval of the Town and County, submittal of revised construction plans, and several other standard in-law unit conditions.

After discussion, Mrs. Haukohl moved, seconded by Mr. Goodchild and carried unanimously for approval as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **PO-14-VNT-03 (Anthony J. and Tina Glapa) Town of Vernon, Section 16**

Ms. Scherer pointed out the location of the property in Section 16, Town of Vernon on the aerial photograph at W250 S8155 Center Dr. She indicated the request was related to the previous SCU-1584.

After discussion, Mr. Mitchell moved, seconded by Mr. Kolb and carried unanimously for approval as conditioned, in accordance with the “Staff Report and Recommendation”. The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **PPC14:004 (Payne and Dolan) Town of Ottawa, Section 1**

Ms. Scherer pointed out the location of the property in Section 1, Town of Ottawa on the aerial photograph at 1523 C.T.H. “C”. She indicated the request was for approval of the revised Restoration Agreement as required by CU-0806D.

Ms. Scherer stated that Payne and Dolan, Inc. has recently acquired the (Dousman) Quarry on C.T.H. "C" in the Town of Ottawa from Vulcan Materials Company. Condition No. 21 of CU-0806D required the existing (1990) Restoration Agreement prepared by the former owner of the subject quarry to be revised. Since becoming owners, Payne and Dolan prepared a revised draft of the document which was subsequently reviewed by the Town Attorney, Town Engineer, Town Planner, and the County Land Resources Division, and was recently approved by the Town Plan Commission and Town Board. Review and approval by the Park and Planning Commission is the final step necessary prior to the Planning and Zoning Division staff issuing the pending Conditional Use Permits to the new owners of the Dousman Quarry.

Ms. Scherer explained several changes to the Restoration Agreement. She stated the owners name has been updated to Payne and Dolan; some of the Ordinance language in the document has been updated because the Restoration Plan was written in 1990; the NR135 references have been updated; and the mining depth had to be changed. She stated that just before Vulcan sold the mine to Payne and Dolan they had requested a conditional use to mine 80 ft. below the water table, whereas before they were not allowed to mine below the water table. That conditional use request was approved.

After discussion, Mr. Siepmann moved, seconded by Mr. Kolb and carried unanimously for approval, in accordance with the "Staff Memorandum". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• PPC14:005 (Donald and Sonja Malek) Town of Eagle, Sections 32 and 33

Ms. Scherer pointed out the location of the property in Sections 32 and Section 33, Town of Eagle on the aerial photograph at W378 S10973 Betts Rd. She indicated the request was for a waiver from the requirement to include a remnant parcel on a Certified Survey Map.

Ms. Scherer explained the petitioners are proposing to create an 11.47 acre parcel containing their residence and the farm buildings by Certified Survey Map from a 79 acre parcel. Ms. Scherer noted that the majority of the remnant parcel is designated at Primary Environmental Corridor. She stated that the petitioners also have two parcels to the north which total approximately 180 acres. They have no plans to develop the remnant parcel and are negotiating to sell it, along with their two other parcels, to "The Nature Conservancy", a non-profit conservation organization that owns approximately 270 acres of land abutting their property on the west side. Access to the remnant parcel will be provided through those Nature Conservancy lands and the Certified Survey Map will have road access. Ms. Scherer stated that although the western portion of the proposed 11.47 acre lot falls within the area zoned Agricultural Land Preservation, because the proposed land division is considered to be a farm consolidation, the Waukesha County Shoreland and Floodland Protection Ordinance provides that the proposed lot can be as small as one (1) acre in size. She stated Staff is recommending approval of the waiver from the requirement to include a remnant parcel on a Certified Survey Map with several conditions.

After discussion, Mrs. Haukohl moved, seconded by Mr. Mitchell and carried unanimously for approval as conditioned, in accordance with the "Staff Memorandum". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **PPC14:006 (Kosanke Road - southern portion) Town of Oconomowoc, Section 36**

Ms. Scherer pointed out the location of the request in Section 36 of the Town of Oconomowoc on the aerial photograph. She indicated the request was to reduce the width of the established road right-of-way of the southern portion of Kosanke Road from 66 ft. to 20 ft.

Ms. Scherer stated the owner (Mr. Van Open) of property abutting Kosanske Road has requested the road width right of way waiver in conjunction with the approval of a Certified Survey Map to combine his two properties. She explained the established road right of way width is 66 ft. and the petitioner is requesting a reduction to its dedicated width of 20 ft. Ms. Scherer explained the southern portion of Kosanske Rd. is a minor dead end street, approximately 400 ft. long, and serves four properties. The Town has indicated the road has no potential to be expanded, as it terminates as a public road approximately 40 ft. into Mr. Van Opens' property and then continues as a private road, serving one additional property. The Town and County feel the established right-of-way width of 66 ft. is excessive and, due to road setback requirements, creates hardships on property owners desiring to improve their parcels. Ms. Scherer noted that the Town staff indicated that the existing 20 ft. wide dedicated right-of-way is now and will be an adequate road width to provide for any future improvements and to provide a street safe for vehicular and pedestrian travel.

After discussion, Mr. Goodchild moved, seconded by Mrs. Haukohl and carried unanimously for approval, in accordance with the "Staff Memorandum". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **PPC14:007 (Florence Schneider Living Trust U/A dated the 9th of June, 2006, as amended, and Faye Ann Meyer and Colleen Meyer) Town of Oconomowoc, Section 25**

Ms. Scherer pointed out the location of the request in Section 25 of the Town of Oconomowoc on the aerial photograph at N57 W34387 Nickels Point Rd. and N57 W34385 Nickels Point Rd. She stated the request was to reduce the established road right-of-way width of a portion of Nickels Point Rd.

Ms. Scherer explained a Certified Survey Map is being proposed in conjunction with a lot line adjustment between two properties on Nickels Road. The proposed Certified Survey Map shows the 12 ft. wide platted road right-of-way of Nickels Point Road (6 ft. on either side of the centerline), as platted in 1905. Unless a further reduction to the established road right-of-way width of Nickels Point Road is approved, an additional 6.5 ft. of road right-of-way along the south side of Nickels Point Road, in the area abutting these properties, will need to be dedicated to the Town of Oconomowoc in order to increase the width of the dedicated road right-of-way to the established width of 12.5 ft. from the centerline. Ms. Scherer stated the owners of the properties of the proposed Certified Survey Map have requested a waiver to further reduce the established road right-of-way width of Nickels Point Road, in the area abutting their properties, to the platted width of 12 ft. Unless the requested waiver is approved, a portion of the residence located at N57 W34387 Nickels Point Road will be located within the established road right-of-way. Ms. Scherer stated that Nickels Point Road is a minor dead-end road, approximately 1,170 ft. in length that serves only four houses beyond the proposed Certified Survey Map and because it is located on a peninsula, it has no potential to be extended. She noted that the Town Highway Superintendent advised the Town that the platted road right-of-way is adequate to accommodate the current and future needs of this portion of Nickels Point Road.

After discussion, Mr. Goodchild moved, seconded by Mr. Siepmann and carried unanimously for approval as conditioned, in accordance with the "Staff Memorandum". The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

ADJOURNMENT

With no further business to come before the Commission, Mrs. Haukohl moved, seconded by Mr. Siepmann to adjourn at 2:15 p.m.

Respectfully submitted,

Pat Haukohl

Pat Haukohl
Secretary

PH:es